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17 **UNITED STATES DISTRICT COURT**  
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 *In re Ex Parte* Application of  
20 T.D. Jakes,  
21 Applicant,  
22 For an Order Pursuant to 28 U.S.C. § 1782  
23 Granting Leave to Obtain Discovery  
24 from Google LLC for Use in  
25 Foreign Proceedings

No. 5-24-MC-80319

**PARTIES' JOINT DISCOVERY LETTER  
RE EX PARTE APPLICATION FOR AN  
ORDER PURSUANT TO 28 U.S.C. § 1782  
GRANTING LEAVE TO OBTAIN  
DISCOVERY FOR USE IN FOREIGN  
PROCEEDINGS**

26 Petitioner Thomas Dexter Jakes and Respondent Google LLC, by and through  
27 counsel, hereby submit to Magistrate Judge Cousins the attached Joint Discovery Letter  
28 pursuant to the Court's December 23, 2024 Order.

Dated: April 11, 2025

Respectfully submitted,

/s/Dustin Pusch  
Dustin Pusch (pro hac vice)  
Attorney for Applicant T.D. Jakes

April 11, 2025

The Honorable Nathanael M. Cousins  
United States Magistrate Judge  
450 Golden Gate Avenue  
San Francisco, CA 94102

Re: 5:24-mc-80319-NC, In Re Ex-Parte Application of Thomas Dexter Jakes

Dear Judge Cousins:

Pursuant to the Court's December 23, 2024 Order [007], Petitioner Thomas Dexter Jakes ("Petitioner") and Respondent Google LLC ("Respondent"), submit this joint discovery letter brief addressing the proposed § 1782 order and any requested protective order regarding the ex-parte application for the issuance of a subpoena to Respondent under 28 U.S.C. § 1782 filed on December 19, 2024 ("1782 Application").

Counsel for Petitioner and Respondent have met and conferred telephonically and by Zoom to discuss Petitioner's 1782 Application and the requested subpoena. As a result of the meet-and-confer process, Respondent and Petitioner agree to the following:

1. By April 18, 2025, Petitioner shall file a sworn declaration from counsel he has engaged in the Republic of Pakistan to pursue defamation claims against one of the YouTube account holders responsible for the majority of the defamatory video posts detailed in Petitioner's 1782 Application
2. The declaration from counsel will set forth the elements of any civil claims Petitioner may assert under the laws of the Republic of Pakistan and state whether counsel believes that the facts alleged in the 1782 Application support viable claims under Pakistani law;
3. Should the Court require a response from Respondent, then Respondent will file a statement of non-opposition affirming that it takes no position on the issuance of the proposed subpoena, while reserving all rights to object or move to quash the subpoena until after the subpoena is served. *See, e.g., In re Ex Parte Application of Kakedzuka Mfg. Co., Ltd.*, Case No. 22-mc80133-NC, Dkt. 11 (N.D. Cal. July 29, 2022) (granting Section 1782 application and allowing provider and account holder to move to quash the subpoena following service). In responding to the subpoena, Respondent need not produce information for any user who Respondent's determines resides in the United States;
4. In their response to the subpoena, Respondent may redact bank account numbers, credit card numbers, and similar financial information beyond the name and location of the account holder and the financial institution.

Subject to the above conditions, Respondent agrees to produce to Petitioner the information sought, if any, in its subpoena within 30 days of an order granting Petitioner's 1782 Application. If a user affected by disclosure of the information sought by Petitioner's 1782 Applications files a

motion to quash within 30 days of service of the subpoena, then Respondent agrees to preserve materials responsive to the proposed subpoena, if any, until such dispute is resolved.

/s/ Dustin Pusch

Dustin A. Pusch

Counsel for Petitioner Thomas Dexter Jakes

/s/ Byron Tuyay

Byron R. Tuyay

Counsel for Respondent Google LLC